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#17

JUN 13 1995

Ronald L. Wilson, Director
Health Assessment Policy Staff
Office of Health Affairs (HFY-20)
Food and Drug Administration
5600 Fisher's Lane, Room 11-44
Rockville, MD 20857

Dear Mr. Wilson:

The enclosed application for extension of the patent term of U.S. Patent No. Re. 34,879 issued on March 14, 1995, was filed on May 8, 1995, under 35 U.S.C. 156.

Your assistance is requested in confirming that the product identified in the application has been subject to a regulatory review period within the meaning of 35 U.S.C. 156(g) before its commercial marketing or use. Since a determination has not been made whether the patent in question claims a product which is subject to the Federal Food, Drug and Cosmetic Act, this communication is NOT to be considered as notice which may be made in the future pursuant to 35 U.S.C. 156(d)(2)(A).

Our review of the application to date indicates that the subject matter would be eligible for extension under 35 U.S.C. 156.

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